

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

DONALD POJMAN, M.D.,

Plaintiff,

v.

Case No. 2:20-cv-4543

Judge Edmund A. Sargus, Jr.

Magistrate Judge Kimberly Jolson

**FRANKLIN COUNTY CORONER
AHANI M. ORTIZ, IN HER OFFICIAL
CAPACITY,**

Defendant.

ORDER

This matter is before the Court on Defendant Franklin County Coroner's Office's Motion for Judgment on the Pleadings. (ECF No. 3.) On October 22, 2020, Defendant Franklin County Coroner's Office moved for judgment on the pleadings on grounds that the Franklin County Coroner's Officer is not *sui juris* and that Plaintiff did not sufficiently allege that he exhausted administrative remedies under the ADA. On November 18, 2020, the Court granted Plaintiff's unopposed motion for leave to amend, and Plaintiff filed an Amended Complaint the same day. (ECF Nos. 8–9.) The Amended Complaint substituted Defendant Franklin County Coroner's Office for Defendant Ahani M. Ortiz in her official capacity as the Franklin County Coroner and also alleges exhaustion of administrative remedies. (ECF No. 9 ¶¶ 6, 42.)

Accordingly, the Court **DENIES AS MOOT** Defendant's Motion for Judgment on the Pleadings. (ECF No. 3.) This case is to remain open.

IT IS SO ORDERED.

**7/28/2021
DATE**

**s/Edmund A. Sargus, Jr.
EDMUND A. SARGUS, JR.
UNITED STATES DISTRICT JUDGE**